

Notice of Allowability

Application No.

10/753,606

Examiner

Thomas A. Morrison

Applicant(s)

FRAZIER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated 11/02/2005.
2. ☒ The allowed claim(s) is/are 2-12 and 14-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Overberger (Registration No. 48,556) on November 11, 2005.

IN THE SPECIFICATION:

On page 6, the numbered paragraph [0029] has been amended as follows:

-- [0029] The nudger roller shaft 54 is connected to the pick roller shaft 48 for rotation therewith such that rotation of the pick roller shaft ~~[[54]]~~ 48 causes simultaneous rotation of the nudger roller shaft ~~[[48]]~~ 54. More specifically, a pick roller gear 66 is rotatably fixed to the pick roller shaft 48. Likewise, a nudger roller gear 68 is rotatably fixed to the nudger roller shaft 54. An idler gear 70 is rotatably mounted to the pick frame 46 between the pick roller gear 66 and the nudger roller gear 68. Teeth of the idler gear 70 mesh with teeth of the pick roller gear 66 and the nudger roller gear 68 such that the idler gear 70 is engaged to both gears 66,68 so that rotation of the pick roller shaft 48 rotates the pick roller gear which rotates the nudger roller shaft 54 through the idler gear 70 and the nudger roller gear 68. A driven gear 72 is fixed to one end of the pick roller shaft 48 and positioned within the printer device 10 for selective

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engagement with an associated drive gear (not shown). Through a power means such as a motor (not shown), the associated drive gear is positioned to selectively rotate the driven gear 72 and, as described above, the pick and nudger rollers 18,20. --

IN THE CLAIMS:

In claim 2, line 2 after "bearing", "(1)" has been deleted.

In claim 2, line 4 after "with", "an" has been replaced with -- said --.

In claim 2, line 5 after "and", "(2)" has been deleted.

In claim 3, line 2 after "first axis", -- . -- has been inserted.

In claim 5, line 12 before "diameter", "a" has been replaced with -- said --.

In claim 9, line 6 before "shaft", "roller" has been deleted.

In claim 9, line 7 before "frame", -- pick -- has been inserted.

In claim 10, line 1 after "of", "claim 7" has been replaced with -- claim 9 --.

In claim 11, line 4 after "having", "at least one bearing recess" has been deleted.

In claim 11, line 10 after "nip", "and at least one flexible bearing removably received in said at least one bearing" has been deleted.

In claim 11, line 11 before ",", "recess and removably connecting said pick module assembly to said frame" has been deleted.

In claim 11, line 12 before "received", -- removably -- has been inserted.

In claim 11, line 13 before "removably", "for" has been replaced with -- to removably connect said pick module assembly to said frame and --.

In claim 11, line 13 after "removably", "mounting" has been replaced with -- mount --.

In claim 12, line 11 after "having", "(1)" has been deleted.

In claim 12, line 12 after "and", "(2)" has been deleted.

In claim 14, line 3 after "biasing", "means" has been replaced with -- mechanism -

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Conclusion

2. An extension of time under 37 CFR 1.136(a) is required to place this application in condition for allowance. During a telephone conversation conducted on November 11, 2005, Mr. Erik Overberger (Registration No. 48,556) requested an extension of time for 1 MONTH(S) and authorized the Director to charge Deposit Account No. 06-0308 for the required fee of \$120 for this extension.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on (571) 272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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